

REMARKS

The Applicants wish to thank the Examiner for thoroughly reviewing and considering the pending application. The Official Action dated October 9, 2003 has been received and carefully reviewed. Claims 1-13 are currently pending. Reexamination and reconsideration of the pending claims is respectfully requested.

The Official Action objected to claim 10 as discussed therein. The Applicants have amended claim 10 as indicated above. As such, the Applicants submit that, as amended, claim 10 overcomes the objection and respectfully request that the objection be withdrawn.

The Official Action also rejected claims 1, 3-6 and 8-12 under 35 U.S.C. §103(a) as being unpatentable over the Applicant's Related Art Figure 3 (ARA) in view of U.S. Patent No. 5,637,007 to *Suzuki et al.* (hereinafter "*Suzuki*"). The rejection of claims 1, 3-6 and 8-12 is respectfully traversed and reconsideration is hereby requested. Independent claim 1 is allowable over the cited references in that the claim recites a lamp apparatus for a liquid crystal display having in part "...a resin in the holder between the soldering and the holder." Likewise, independent claim 3 is allowable over the cited references since claim 3 claims a liquid crystal display module having, among other features, "...a resin in the holder between the soldering and the holder." Claim 4 is allowable by virtue of its dependence on allowable claim 3. Independent claim 5 recites a lamp apparatus for a liquid crystal display having "...a resin provided at an end of the lamp housing in such a manner to enclose the wire at the end of the lamp housing" and is allowable over the cited references. Claim 6 is allowable by virtue of its dependence on allowable claim 5. Moreover, claim 8, which recites a liquid display module comprising "...a resin provided at an end of the lamp housing in such a manner to enclose the wire at the end of the lamp housing," is allowable over the cited references. Claim 9 is allowable by virtue of its dependence on allowable claim 8. Independent claim 10 is also

allowable over the cited references in that claim 10 claims a lamp apparatus for a liquid crystal display which includes “...a resin around an end of the wire.” Claims 11 and 12 are allowable by virtue of their dependence on allowable claim 10.

As discussed in detail below, none of the cited references either alone or in combination teach or suggest the features described above with respect to each corresponding independent claim. Moreover, in order to establish a *prima facie* case of obviousness, there must at least be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the reference teachings. See MPEP § 2142. Furthermore, the teaching or suggestion which results in the claimed combination must be found in the references themselves and not be based on the disclosure of the Applicants using improper hindsight. The references must expressly or impliedly suggest the claimed invention or the Official Action must have a convincing line of reasoning as to why one of ordinary skill in the art would have found the claimed invention obvious in light of the references in order to support the conclusion that the claimed invention is directed to obvious subject matter.

When the motivation to combine the references is not immediately apparent, the Official Action must explain why the combination of the teachings is proper. The fact that references may be combined does not render the resultant combination obvious unless the prior art suggests the desirability of the combination. See M.P.E.P. §2143.01. Therefore, the fact that the references may indicate all aspects of the claimed invention were individually known in the art is not sufficient to establish a *prima facie* case of obviousness without some objective reason to combine the teachings of the reference.

In view of the above, and for the additional reasons set forth below, the Applicants respectfully submit that a *prima facie* case of obviousness has not been established with regard to the presently claimed invention.

The Applicants submit that stating “The APAF shows all of the elements of the claims except the resin in the holder between the soldering and the holder” illustrates that the deficiencies of the ARA have been generalized to the point that the applied references, including *Suzuki*, have been combined while disregarding the claimed invention “as a whole.” In considering *Suzuki*, the Official Action alleges the following at page 2 thereof:

“A resin (10) fills a cavity (5) to provide a seal and fix the wires to their terminals (col. 4, lines 18-28)”.

However, the specification of *Suzuki* defines the resin (10) referenced in the Official Action as a sealer 10 which:

...prevents leaking oil from intruding into the insertion hole 5, and also serves to fix the wires 3 and the terminals 4, and further seals the front end portions of the wires 3 each having the peeled portion 3B from which the sheath 3A has been removed. With this arrangement, oil is prevented from diffusing into the wire 3 (that is, the gap between the sheath and a conductor portion) by capillary action. See col. 4, lines 21-27.

Thus, the element from *Suzuki* referred to in the Official Action prevents the diffusion of oil into a wire by capillary action. In contrast, the specification of the currently pending application describes the function of the element on page 10, lines 15-22 as such:

An external force, such as that caused by physical removal of the lamp apparatus is not transferred to the soldering 9 because of application of the resin 20 around the soldering 9 and curing of the resin 20, as mentioned above. The cured resin 20 protects a short and a breakage of the wire 8. Also, external force is not transferred to the soldering 9 in a tension test to exert a sufficient tensile force that might cause a short or break in the wire 8.

Therefore, after considering *Suzuki* as a whole and ignoring generalizations made about what *Suzuki* may or may not suggest, the Applicants believe that the structure and function of *Suzuki* is not the same as the structure or function of the presently claimed invention. Moreover, the Applicants respectfully submit that one skilled in the art looking to form a lamp apparatus for a liquid display apparatus having a resin in a holder between soldering and the holder would not turn to the teachings of *Suzuki*.

The prior art references in combination do not suggest the claimed invention as a whole. Absent any objective motivation to combine the references, the Applicants respectfully submit that the Official Action merely pieces together isolated disclosures of the applied references using the present invention as a template with impermissible hindsight.

Moreover, according to M.P.E.P. § 2141.01(a), a reference relied upon under 35 U.S.C. § 103 must be an analogous reference. “In order to rely on a reference as a basis for rejection of an Appellant’s invention, the reference must either be in the field of Appellant’s endeavor or, if not, then be reasonably pertinent to the particular problem with which the inventor was concerned.” *In re Oetiker*, 977 F.2d 1443, 1446, 24 USPQ2d 1443, 1445 (Fed. Cir. 1992). For the reasons set below, the Applicants respectfully submit that *Suzuki* is nonanalogous prior art and is not available as a reference under 35 U.S.C. §103.

First, the Applicants submit that the fields of endeavor between the present invention and *Suzuki* are not the same. The Applicants respectfully submit that the field of invention of the present invention relates to “a liquid crystal display, and more particularly to a lamp apparatus for a liquid crystal display...” See page 2, lines 9-11 of the originally filed specification. Nonetheless, the invention of *Suzuki* relates to “a connector device, and more particularly to a connector device for connecting a sheathed wire, connected to a control element of a hydraulic circuit mounted within a housing of an automatic transmission, to a control device provided

outside of the housing.” See col. 1, lines 5-9. As such, the Applicants respectfully submit that the fields of endeavor between the present invention and *Suzuki* are not the same.

Secondly, the Applicants believe that *Suzuki* is not reasonably pertinent to the particular problem with which the claimed invention concern. In the background section, *Suzuki* describes, at col. 1, line 50 - col. 2, line 19, the object of the invention disclosed therein as such:

In the above conventional technique, however, the liquid-state resin sealer, when poured into the casing, often leaks through a gap between each terminal passage hole 57, formed through the terminal support wall 56 within the housing casing 51, and the associated terminal 54, extending through the terminal passage hole 57, to a fitting surface of the terminal support wall 56. More specifically, the resin 58 flows from the insertion hole 53 to the terminal hole 55 through the gap between the terminal passage hole 57 in the partition wall 56 and the terminal 54, thus forming a bulged flow-out portion 60A at a region between the surface of the terminal 54 and the outer surface of the partition wall 56, as shown at a left portion of FIG. 6. This flow-out portion 60A is formed into an agglomerate upon curing of the resin. This agglomerate of the resin is an obstacle to the advance of a guide portion of a mating connector housing C51, so that the connector device C50 and the mating connector C51 cannot be completely fitted together.

Furthermore, as shown at a right portion of FIG. 6, the leaked liquid-state sealer spreads or diffuses over the surface of the front end portion of the terminal 54 to form a covering layer 60B thereon, so that there is a possibility that the terminal 62 incompletely contacts a mating terminal.

Recently, automatic transmissions have advanced in quality, and not only electric parts but also sensors and electrically-operated actuators have been extensively used, so that the number of wires inserted into connector devices has increased. With the increase in the number of the wires, the number of wire insertion holes increases, and the leakage of liquid-state sealer may also increase.

It is an object of this invention to overcome the above problems of conventional connectors, and more specifically to provide a connector device for a hydraulic circuit in which female and male connector housings can be positively fitted together completely, and female and male terminals can be positively connected electrically.

The Applicants believe that the field of endeavor between the present invention and *Suzuki* are not the same. Moreover, as established above, the particular problems with which the present invention and *Suzuki* are concerned are not the same nor even remotely similar. Therefore, the dissimilar subject matter between the present invention and *Suzuki* and the dissimilar problems addressed by the present invention and *Suzuki* would not have logically commended itself to one of ordinary skill in the art considering the problem with which either is associated to turn to either reference to achieve the combination suggested by the Official Action. Thus, the Applicants respectfully submit that the Official Action has not shown that a person of ordinary skill in the art, seeking to solve the problems set forth in the present invention as discussed above, would reasonably be expected or motivated to look to a connector connected to a control element of a hydraulic circuit mounted within a housing of an automatic transmission, as discussed above, in order to achieve the presently claimed invention.

As such, the Applicants respectfully submit that a *prima facie* case of obviousness has not been established and claims 1, 3, 5, 8 and 10 are patentable under 35 U.S.C. §103(a) over the ARA in view of *Suzuki* and respectfully request that the rejection be withdrawn. Likewise, claim 4, which depends from claim 3 and claim 6, which depends from claim 5, are also patentable for the same reasons discussed above and for the additional novel features recited therein. Furthermore, claim 9, which depends from claim 8 and claims 11 and 12, which depend from claim 10, are patentable as previously mentioned with reference to claims 8 and 10 and for the additional novel features claimed therein.

The Official Action also rejected claims 2, 7 and 13 under 35 U.S.C. §103(a) as being unpatentable over the ARA in view of *Suzuki* as applied to claims 1, 5 and 10 above, and further in view of JP 04046314 A to *Saito* (hereinafter "*Saito*"). As discussed above, the Applicants submit that claim 1, from which claim 2 depends, claim 5, from which claim 7 depends and

claim 10, from claim 13 depends, are patentably distinct over the ARA in view *Suzuki*. The Applicants submit that *Saito* does not address the shortcomings of the ARA and *Suzuki*. More specifically, *Saito* does not provide the motivation to combine the disclosure of the ARA with *Suzuki* to arrive at the invention claimed in claims 1, 5 and 10. *Saito* pertains to obtaining:

...a liquid crystal display element having high reliability by providing a pair of clamping plates which clamp a liquid crystal cell and pressing means which press the clamping plates. See Abstract of *Saito*.

Therefore, the Applicants respectfully submit that a *prima facie* case of obviousness has not been established and claims 2, 7 and 13 are patentable under 35 U.S.C. §103(a) over the ARA in view of *Suzuki* as applied to claims 1, 5 and 10 above and further in view of *Saito* and respectfully request that the rejection be withdrawn.

The Applicants believe that the application is in a condition for allowance. Accordingly, an early and favorable action is respectfully requested. If the Examiner deems that a telephone conversation would further the prosecution of this pending application, the Examiner is invited to call the undersigned at the number indicated below.

If these papers are not considered timely filed by the U.S. Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the


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filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to Deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

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